

In the claims:

Please amend the claims as follows:

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C2

1. (twice amended) A modular deck panel apparatus for a deck structure including a plurality of underlying joist elements, each one of said plurality of joist elements having a top longitudinal surface, said modular deck panel apparatus comprising:

a plurality of modular panels, each of the plurality of modular panels having a first substantially planar element being relatively inflexible, and

a second substantially planar element disposed beneath the first planar element and secured thereto, said second planar element being relatively flexible in relation to the first planar element; and

a plurality of elongated members, a first portion of the plurality of elongated members being secured at intervals along top longitudinal surfaces of a series of underlying joist elements, and a second portion of the plurality of elongated members spanning between successive joist elements and engaging the first portion of the plurality of elongated members to restrain the plurality of modular panels.

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C3

4. (twice amended) A modular deck panel apparatus for a deck structure including a plurality of horizontal joist elements, said modular deck panel apparatus comprising:

a plurality of modular panels, each having a first substantially planar element being relatively inflexible and of a material selected from among the group including: stone, mineral, tile, and concrete product; and

a second substantially planar element of a material different than the first planar element, said second planar element being disposed beneath the first planar element and coupled thereto, said second planar element having a predetermined total area, said second planar element supporting the deck panel upon the deck structure at a panel support area, said panel support area being substantially smaller than the predetermined total area; and

a plurality of elongated members, a first portion of the plurality of elongated members being secured along top longitudinal surfaces of a series of horizontal joist elements, and a

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second portion of the plurality of elongated members spanning between successive joist elements and engaging the first portion of the plurality of elongated members to restrain the plurality of modular panels

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12. (twice amended) A deck structure comprising:

a deck frame including a series of joists arranged at a generally uniform spacing; and
a plurality of modular panels secured to said deck frame by a plurality of elongated members, a first portion of said plurality of elongated members being secured to a series of joists along top longitudinal surfaces thereof, and a second portion of said plurality of elongated members extending across multiple joists and engaging the first portion to support the plurality of modular panels against lateral movement, each panel being of a composite layered construction including a top side and a bottom side, each panel including a first layer element defining the top side and of a material providing substantial compressive strength and limited tensile strength, each panel further including a second layer element defining the bottom side and coupled to the first layer element, said second layer element of a material providing substantial tensile strength.

13. (twice amended) A building product for flooring an area of substructure, said building product comprising:

a plurality of modular panels secured to the substructure by a plurality of elongated members, a first portion of said plurality of elongated members being secured across a series of joists along top surfaces thereof, and a second portion of said plurality of elongated members extending across multiple joists and engaging the first portion to support the plurality of modular panels against lateral movement, each panel being of a composite layered construction including a top side and a bottom side, each panel including a first layer element defining the top side and of a material providing substantial compressive strength and limited tensile strength, each panel further including a second layer element defining the bottom side and coupled to the first layer element, said second layer element of a material providing substantial tensile strength.